

E-FILED on 4/10/06

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JACQUELYN S. STAFFORD-PELT,

Plaintiff,

v.

STATE OF CALIFORNIA; COUNTY OF
SAN BENITO; CITY OF HOLLISTER; JOHN
SARSFIELD; CURTIS HILL; LARRY TODD;
and DOES 1-10,

Defendants.

No. C-04-00496 RMW

ORDER GRANTING DISMISSAL

[Re Docket No. 69, 70]

The parties report that this case has settled and request dismissal pursuant to Fed.R.Civ.P. 41(a)(2). One of the three remaining defendants, John Sarsfield, makes the admittedly "unusual" request that he be dismissed in a separate document and on a separate day as defendants San Benito County and Curtis Hill because Sarsfield believes "he did nothing wrong in the case and should never have been made a party to it." Sarsfield presents no legal authority in support of his request, nor does he address the general preference in federal court against "piecemeal disposal of litigation." *See, e.g.*, Fed.R.Civ.P. 54 Advis. Comm. Note of 1946.

The court expresses no opinion on the merits of the currently-pending claims. Pursuant to the parties' request, the case is dismissed with prejudice.

DATED: 4/7/06

/s/ Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

Notice of this document has been electronically sent to:

Counsel for Plaintiff:

Patrick Earl Marshall patrickemarshall@earthlink.net

Counsel for Defendants:

Michael C. Serverian mserverian@rllss.com
John V. Picone, III picone@fr.com

Counsel are responsible for distributing copies of this document to co-counsel that have not registered for e-filing under the court's CM/ECF program.

Dated: 4/10/06

/s/ JH

Chambers of Judge Whyte